

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

TAMMY WATKINS,)
)
Plaintiffs,)
)
v.) **No. 3:11-cv-1235**
) **SHARP/BRYANT**
POLLOCK PRINTING, INC.,) **JURY DEMAND**
)
Defendant.)

PLAINTIFF'S MOTION TO REMAND

Pursuant to 28 U.S.C. § 1447(c), Plaintiff hereby files this motion to remand this case to the Chancery Court of Tennessee, Twentieth Judicial District, Davidson County, at Nashville. Plaintiff filed her complaint in state court on November 7, 2011, and served Defendant on November 29, 2011. Defendant filed its notice of removal to federal court on December 28, 2011. Defendant incorrectly asserts that this court has subject matter jurisdiction over this dispute on the basis of a federal question, citing 28 U.S.C. §§ 1331 and 1441.

As the basis for this motion, Plaintiff states that she has not presented a claim based upon a federal question in her complaint. The Defendant relies on the citation to a federal statute in the fact section of the complaint as an example of the Defendant's wrongful actions when terminating the Plaintiff. The three causes of action are clearly set out, all of which are state claims, and there is no prayer for relief based upon that federal statute or the Defendant's wrongful actions related to it.

For the foregoing reasons, Plaintiff respectfully moves to REMAND this case to state court.

RESPECTFULLY SUBMITTED:
BONE McALLESTER NORTON, PLLC

BY: /s/ Anne C. Martin
ANNE C. MARTIN, #15536
511 Union Street
Suite 1600
Nashville, TN 37219
(615) 238-6300
amartin@bonelaw.com
Attorney for Plaintiff Tammy Watkins

CERTIFICATE OF SERVICE

I certify that I served a copy of this document via electronic filing, on January 6, 2012 upon:

O. John Norris, III
Jackson Lewis, LLP
999 Shady Grove Road
Suite 110
Memphis, TN 38120

/s/ Anne C. Martin